

# **EXHIBIT 3**

Baylor  
College of  
Medicine

# CODE OF CONDUCT

MAY 1, 2015

*Revised: September 7, 2017*

## EXHIBIT 3

CONFIDENTIAL



Baylor College of Medicine

BCM [Doc]00228

## LETTER FROM PRESIDENT KLOTMAN



Dear Members of the Baylor College of Medicine Community,

Baylor College of Medicine is an organization with a legacy of excellence created by faculty, staff and trainees beginning in 1900 when the College was founded. The creativity, innovation and high standards of each person here have made us a leader in academic medicine, the Houston community and our global community.

Our institutional values of respect, integrity, innovation, teamwork and excellence guide all of our decisions and actions. These values are integrated throughout our mission areas and our programs.

The Code of Conduct defines our long-standing commitment to integrity and the professional and ethical ways that we work with one another. The Code of Conduct covers our expectations for ethical behavior, respectful work within teams and the day-to-day conduct of each person at Baylor College of Medicine.

Education, biomedical research and healthcare are all heavily regulated. It is essential that we are in compliance with Baylor's policies and procedures as well as with government and industry regulations. Our updated Code of Conduct is meant to enhance our compliance and emphasize to each person at Baylor the responsibility to work with integrity each and every day.

It is important that you carefully review the Code of Conduct. If you have any questions, please contact our Compliance Office at 713-798-4389.

Thank you for all that you do to make Baylor College of Medicine an exceptional health sciences university.

A handwritten signature in black ink, reading "Paul Klotman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Paul Klotman, M.D.  
President & CEO  
Executive Dean

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# BAYLOR COLLEGE OF MEDICINE'S MISSION AND VALUES

## Mission

Baylor College of Medicine is a health sciences university that creates knowledge and applies science and discoveries to further education, healthcare and community service locally and globally.

## Our Values

### RESPECT

- Value others and treat them with courtesy, politeness and kindness
- Promote and support diversity, inclusion and equity
- Encourage civil dialogue that considers diverse opinions and ideas

### INTEGRITY

- Interact with honesty, consistency and transparency
- Operate in ways that demonstrate ethical behaviors
- Foster personal accountability to build trust

### INNOVATION

- Cultivate creative ideas and unique talents across the organization
- Embrace a culture of continuous improvement
- Inspire the creation and application of new knowledge

### TEAMWORK

- Sustain a culture that values collaboration
- Communicate openly to enhance understanding
- Establish effective partnerships

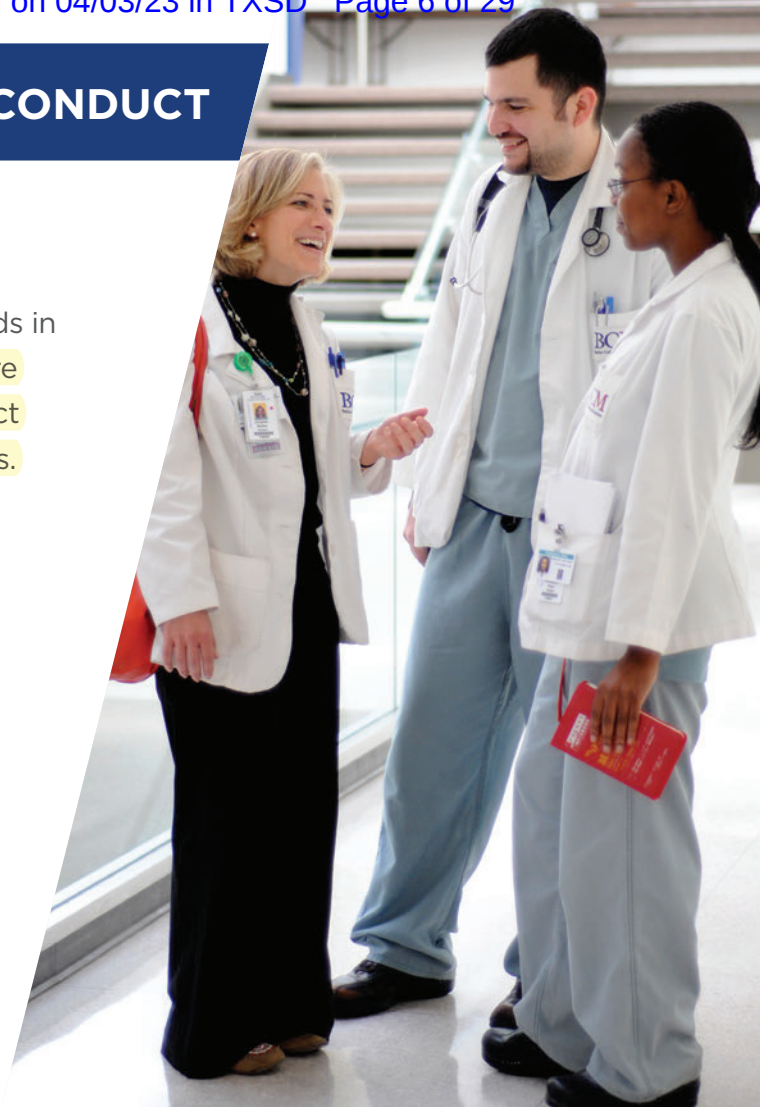
### EXCELLENCE

- Promote the highest standards of safety, quality and service
- Strive to excel in every aspect of our mission
- Support an environment that inspires the best from our people

## INTRODUCTION TO THE CODE OF CONDUCT

Every member of the BCM community shares in the responsibility for sustaining the highest ethical standards in alignment with BCM's Mission, Vision and Values. We are individually and collectively accountable for our conduct and compliance with laws, regulations and BCM policies.

The BCM Code of Conduct is our comprehensive framework for ethical and professional standards. It is designed to ensure that all members of the BCM Community understand the expectations to conduct ourselves in an ethical and professional manner while complying with all laws, regulations, rules and policies to the fullest degree.



## INTRODUCTION TO THE CODE OF CONDUCT (CONTINUED)

The Code of Conduct highlights core principles essential to maintaining a fair and responsible environment, contributing to an atmosphere in which the academic, research, clinical and business goals of the organization can be met effectively. The BCM Code of Conduct applies to the following individuals (BCM Community Members):

- Employees [Faculty, staff and Trainees (Residents, Fellows and Postdocs)]
- Students
- Members of the BCM Board of Trustees
- Vendors while doing business with BCM
- Contract/non-permanent workers

## CORE CODE OF CONDUCT PRINCIPLES

Our Code of Conduct is a resource for all of us as we endeavor to achieve our mission. By understanding and abiding by these core principles within this framework, we demonstrate our commitment to BCM's core values. BCM employees, faculty, staff, students and others working at BCM are committed to the following Code of Conduct principles:

- We comply with laws and regulations
- We follow our academic standards
- We adhere to leading social media practices and policies
- We comply with research standards
- We abide by our policies concerning disclosure of outside interests and interactions with vendors
- We document, bill and develop our financial reports accurately
- We follow workplace health and environmental standards
- We protect the confidential information of our patients, students, applicants and co-workers
- We adhere to patient rights and responsibilities
- We protect our intellectual property, proprietary information and assets
- We follow human resources policies and guidelines
- We adhere to our non-retaliation policy

## INTRODUCTION TO THE CODE OF CONDUCT (CONTINUED)

The BCM Code of Conduct should be used as a reference guide and key resource for executing BCM's daily functions and processes. At a minimum, this means acting ethically and professionally, obeying the law and avoiding improper activities. This reference guide includes examples of how the code applies to daily work. Our code is one of the many tools that can help us work in a responsible, professional and ethical manner. By understanding and using this reference guide, we demonstrate our commitment to our core values.



The Code of Conduct further provides expectations for compliance with BCM policies and procedures maintained on BCM's intranet site. While some of these policies or practices are included herein, it is each individual's responsibility to read, understand and follow all BCM policies and procedures.

The comprehensive BCM Policy and Procedures Manual can be accessed via the intranet link "BCM Policy and Procedures Manual." Should additional questions arise concerning the Code of Conduct, please seek guidance from your departmental management or contact the Compliance Department.

Adherence to the Code of Conduct principles is a responsibility of each of us in the BCM community, and we are each accountable for reporting non-compliant issues or suspected offenses.

## INTRODUCTION TO THE BCM CORPORATE COMPLIANCE PROGRAM

The BCM Corporate Compliance Program promotes a working and learning environment that reflects BCM's commitment to maintaining the highest level of integrity, ethical standards and core values for BCM Community Members. Compliance requires adherence with BCM policies and procedures, laws, regulations and guidelines for which the BCM community is expected to abide by during day-to-day operations and in support of excellence in education, research and patient care.

The BCM Corporate Compliance Program was created on foundational elements as recommended by the Office of Inspector General (OIG) of the U.S. Department of Health and Human Services and based on the U.S. Sentencing Commission Guidelines for program effectiveness. As such, the BCM Corporate Compliance Program includes the following elements:

- Implementing written policies, procedures and standards (code) of conduct
- The designation of a compliance officer and oversight compliance committee
- Conducting compliance training and education
- Developing effective lines of communication
- Conducting internal monitoring and auditing
- Enforcing standards through well publicized disciplinary guidelines
- Responding promptly to detected offenses and undertaking corrective action

The BCM compliance team is committed to supporting the BCM community by communicating compliance requirements and expected conduct. The BCM Code of Conduct is a published guide and a foundation of principles for each of us to commit to and follow. Periodic compliance education and training will be conducted by BCM's compliance department to promote compliance awareness and communicate BCM policies, procedures and expected conduct.

Questions about specific compliance or ethical issues should be directed to the department and these individuals:

**Chief Compliance Officer**  
[compliance@bcm.edu](mailto:compliance@bcm.edu)  
713.798.4366

**Compliance Director**  
[compliance@bcm.edu](mailto:compliance@bcm.edu)  
713.798.2016

**Privacy Officer**  
[privacycompliance@bcm.edu](mailto:privacycompliance@bcm.edu)  
713.798.5637

**Information Security Officer**  
[privacycompliance@bcm.edu](mailto:privacycompliance@bcm.edu)  
713.798.7618

### **The BCM Compliance and Audit Services Department is located at:**

2450 Holcombe Blvd, NABS OW202  
Houston, Texas 77021  
Office Number: 713.798.5637

## BCM INTEGRITY HOTLINE AND NON-RETALIATION POLICY

We are all responsible for making sure that BCM conducts its business, clinical, research and academic programs with honesty and integrity and provides a learning environment that respects students' rights, treats them fairly and supports their academic success. Everyone at BCM has a responsibility to, in good faith, report all instances of unprofessionalism as well as any known or suspected violation of BCM policy or applicable law or regulation. Anyone, who honestly and in good faith reports suspected or actual improper activity or wrongdoing, is protected by Federal and Texas state law from retaliation. BCM may not suspend, terminate or threaten anyone for reporting improper activity or wrongdoing in good faith.

### **Frequently Asked Questions:**

*What is a reportable compliance concern?*

*Examples of violations include, but are not limited to, unethical or unprofessional conduct, illegal or fraudulent activity, financial misstatements or irregularities, conflicts of interest, Title IX concerns, and violations of laws, regulations or policies. For questions regarding whether an action is reportable or not, please contact the BCM Compliance Department at 713-798-4389.*

*What is considered retaliation?*

*Retaliation is any action that adversely affects the employment or other institutional status of an individual (including discharging, demoting, suspending, threatening, harassing or in any other manner discriminating against an individual in the terms and conditions of employment or their status as a student or trainee), that is taken by an individual or the institution because the individual has, in good faith, made an allegation concerning the violation of a law, rule, policy or procedure, or of inadequate institutional response to such, or has cooperated in good faith with an investigation of such allegation.*

*How can I report a compliance concern?*

*If you believe there is improper activity or wrongdoing or you have a compliance concern, reporting may be accomplished by:*

- 1. Contacting your departmental management through your normal chain-of-command, human resources, legal or the Compliance Department.*
- 2. Calling the BCM Integrity Hotline toll-free number at 1-855-764-7292.  
When the BCM Integrity Hotline is called, the caller will speak with an individual who will take a report and forward the information to BCM Compliance Department for the appropriate follow up. The Integrity Hotline's number is toll-free within the United States, Guam, Puerto Rico and Canada.*
- 3. Submitting a report at [www.bcm.ethicspoint.com](http://www.bcm.ethicspoint.com). See [BCM Integrity Hotline Policy 31.2.02](#).*

## BCM INTEGRITY HOTLINE AND NON-RETALIATION POLICY (CONTINUED)

*BCM Integrity Hotline reporters may remain anonymous when reporting an issue. After completing a report, the reporter will be assigned a unique code called a “report key.” The report key and password may be used to check the report for feedback or questions.*

*Reporting also may be performed through the BCM EthicsPoint web page [www.bcm.ethicspoint.com](http://www.bcm.ethicspoint.com). Reports may be filed by selecting the “Make a Report” link at the top left corner of the web page and entering comments and/or concerns as applicable.*

*I have a direct report that has made a claim about work directly related to me and my position.  
What should I do?*

*You should not take any action against this individual. BCM prohibits all unlawful retaliation against individuals as a consequence of good-faith actions in reporting alleged improper activities or participating in an investigation of alleged improper activities. Any individual who retaliates against another individual as a result of reporting known or suspected improper activity is subject to appropriate disciplinary action, up to and including termination.*

## BCM ENVIRONMENT

BCM maintains a caring and healthy workplace and academic environment for all faculty, staff and students. We are dedicated to treating each other with respect, dignity and courtesy. BCM believes that all individuals have the right to be free from all forms of discrimination and demonstrate our commitment to respect by upholding our responsibilities to respond to and prevent incidents of sexual harassment and sex-based discrimination. Any form of unwanted sexual conduct or breach of the faculty/student relationship is not tolerated. See BCM 02.2.25, Harassment, Discrimination and Retaliation.

We are committed to providing a safe and secure environment for patients, faculty staff and students. This is accomplished through our responsibility to:

- ***Treat all BCM faculty, staff, students, trainees and patients in a fair and respectful manner,*** recognizing the diversity of our workforce and the individuality of each employee. 02.5.39 Respective and Professional Work Environment Standards for Employee Conduct; 02.2.10 Affirmative Action ; 02.2.40 Diversity
- Show proper consideration and respect to one another, understanding that ***sexual harassment and/or discrimination in employment and education are strictly prohibited.*** 02.2.25 Harassment, Discrimination and Retaliation; 02.2.06, Sexual Misconduct and Other Prohibited Conduct Policy.
- ***Abide by all laws, regulations and BCM policies*** that support and promote a safe and effective work and academic environment and ***complete all assigned and required training*** within specified timeframes. 02.5.72 Workplace Violence; 02.5.38 Social Media, 18.1.01, Public Health & Safety.
- ***Encourage and support each other's*** individual skills, talents, knowledge and understanding of our jobs in order to deliver the highest quality of service.
- ***Report to the appropriate supervisor*** any practice or condition that may violate any health or safety law, rule or regulation. 02.5.61 Reporting Safety Concerns in the Workplace

### ***Frequently Asked Question:***

I received an email from another BCM employee that contained sexually related jokes and subject matter. Is this allowed?

*Emails that contain inappropriate, offensive content of a sexual nature are considered harassment and are explicitly against BCM policy. This and similar acts of verbal or physical sexual harassment or sex-based discrimination should be reported to the Title IX Coordinator, your supervisor and/or Human Resources immediately.*

## COMPLIANCE WITH LAWS AND REGULATIONS

BCM operates in accordance with all state and federal laws and regulations and in a manner that is reflective of high ethical values, which promotes the strictest compliance with these standards.

To achieve this, we must:

- **Identify and understand all laws and regulations** that relate to each individual BCM role and its responsibilities and ask questions to promote maximum comprehension.
- **Conform to all applicable laws, regulations, standards** and other compliance requirements at all levels within BCM.
- **Comply with the Anti-Kickback Statute**, which prohibits individuals and entities from knowingly offering, paying, soliciting or receiving remuneration (kickbacks) to induce referrals of items or services paid for by a federally funded healthcare program (i.e., Medicare and Medicaid).
- **Adhere to the False Claims Act**, which imposes civil liability on any person who knowingly submits or causes to be submitted a false or fraudulent claim to the government.
- **Implement all standards and requirements** of the Health Insurance Portability and Accountability Act (**HIPAA**), the Health Information Technology for Economic and Clinical Health Act (**HITECH**) and the Family Educational Rights and Privacy Act (**FERPA**).
- **Abide by** the requirements of the **Physician Self-Referral Law, or Stark Law**. The Stark Law prohibits physicians from referring designated health services for Medicare and Medicaid beneficiaries to an entity in which the physician (or an immediate family member) has an ownership/investment interest or a compensation arrangement.

### Frequently Asked Questions:

What are kickbacks?

*Kickbacks are gifts, gratuities, payment or services given with the intent to influence or gain something, in this case referrals, from a company or person.*

What is the False Claims Act?

*The False Claims Act refers to federal or state laws that impose liability on persons and companies who submit false claims to obtain payment from governmental programs. These laws are the governments' primary tool in combating fraud, waste and abuse against the government.*

What should I do if I inadvertently submit a claim with incorrect (false) information on it?

*Report this incident to your supervisor and/or the Compliance Department immediately.*

## ACADEMIC EXCELLENCE AND INTEGRITY STANDARDS - FACULTY

The commitment, experience and quality of our faculty along with their ethical behavior and role modeling strongly influence the success of our students, trainees and the College. A deep conviction to the worth and dignity of the advancement of scientific knowledge and discovery guides the BCM faculty to devote its energies to developing and improving their scholarly competence and guiding students and trainees to achieve their full potential. The faculty demonstrates an authentic commitment to diversity and inclusion and to providing a learning environment that supports excellent learning outcomes. The faculty also prepares students and trainees for successful careers. Toward these ends, we:

- **Encourage** the free pursuit of learning.
- **Teach** responsibly and **respect** all disciplines.
- Foster **honest** academic conduct.
- **Assure that evaluations** reflect each students' and trainees' true merit.
- **Respect** the confidential nature of the relationship between the professor and student or trainee.
- Obey the **canons of intellectual honesty** in research and authorship.

### ***Frequently Asked Questions:***

What should I do if I observe unprofessional behavior in a faculty or staff member?

*You should report this concern to your supervisor or administrator immediately. If you are uncomfortable reporting through your regular chain of command, you may also contact the BCM Integrity Hotline.*

Can I report anonymously?

*Yes, any concerns can be reported anonymously to the BCM Integrity Hotline either by phone at 855-764-7292 or online at [www.bcm.ethicspoint.com](http://www.bcm.ethicspoint.com).*

What can I do if I am treated with disrespect?

*You may report this concern to your supervisor, administrator or department leadership for appropriate action and follow up.*

## ACADEMIC EXCELLENCE AND INTEGRITY STANDARDS - STUDENTS AND TRAINEES

In accordance with the BCM Compact between Teachers, Learners and Educational Staff, students and trainees pursuing a professional career at BCM assume responsibility to develop in-depth knowledge, acquire and apply special skills, uphold academic honesty standards and demonstrate professionalism. Students and trainees should:

- **Acquire** the knowledge, skills, attitudes and behaviors necessary to fulfill all established educational objectives.
- **Embody** the professional virtues of integrity, empathy, altruism, compassion, respect, honesty, courage and trustworthiness.
- **Respect** all patients, peers, faculty and staff as individuals, without regard to gender, race, national origin, religion or sexual orientation.
- **Uphold** the highest professional standards and conduct themselves accordingly in all interactions with patients, peers, faculty and staff.
- **Assist** their fellow students and trainees in meeting their professional obligations, while fulfilling their own obligations as a professional.
- **Help create** a safe environment in which individuals can communicate any concern about breaches of this compact.

### **Frequently Asked Questions:**

What should I do if I observe unprofessional behavior in a student?

*You should report this concern to a faculty member immediately. If you are uncomfortable doing so, you may also report to the BCM Integrity Hotline at 855-764-7292 or online at [www.bcm.ethicspoint.com](http://www.bcm.ethicspoint.com) or the Compliance Department.*

Can I report anonymously?

*Yes, any concerns can be reported anonymously to the BCM Integrity Hotline either by phone at 855-764-7292 or online at [www.bcm.ethicspoint.com](http://www.bcm.ethicspoint.com).*

What can I do if a fellow student treats me with disrespect?

*You may report this concern to a faculty member or the BCM Integrity Hotline for appropriate action and follow up.*

## SOCIAL MEDIA

The continuously evolving landscape of social media provides many opportunities to participate in interactive discussions and share information. While BCM supports the use of social media by its community members as a way to facilitate communication, social media can impact views and opinions of BCM with respect to academics, patient quality of care and research. In order to optimize the social media network and foster a positive image, we should:

- ***Be professional and respectful*** at all times when using social media.
- ***Use good ethical judgment when posting*** and follow all College policies in addition to laws and regulations such as the Health Insurance Portability and Accountability Act (HIPAA) and the Family Educational Rights and Privacy Act (FERPA). [02.5.38 Social Media Policy](#)
- ***Understand*** that social media ***content can live forever***.
- ***Seek leadership approval*** prior to posting or publishing any content involving patient care and/or research, including but not limited to pictures, status and new advancements.
- ***Never engage in language*** that is ***illegal, threatening, profane, harassing or hateful***.
- ***Follow organizational guidelines*** and policies when using ***BCM trademarks and logos*** and seek approval prior to posting. See [21.0.02, Use of Baylor College of Medicine Name, Trademarks and Service Marks](#).
- ***Maintain patient confidentiality*** when using social media.

### ***Frequently Asked Questions:***

What is considered social media?

*Social media is any form of websites or applications that allows for interactive communication where users can create and share content or participate in social networking. Examples of social media include but are not limited to, Facebook, Twitter, LinkedIn, Google+, Instagram, Flickr and Reddit.*

## SOCIAL MEDIA (CONTINUED)

Am I allowed to access these sites on a BCM computer?

*Access to computers, information systems and networks owned or operated by BCM imposes certain responsibilities and obligations on those granted such access. An individual user's access must always be in furtherance of the user's BCM responsibilities, with common sense exceptions, such as during breaks and before or after working hours within the provisions of the BCM 12.2.01, Acceptable Use Policy. Personal use of BCM equipment for internet usage during breaks and before or after working hours is confined to allowed legal web sites that will not cause potential liability to BCM. If you are unsure about a particular site, please ask your supervisor.*

I wrote an article about my experiences as a student at the College. Am I allowed to publish that article and/or post it on social media?

*You must first check with your dean, who will review the article to ensure its compliance with federal and College policies. The dean will then route it to the Office of Communications, which must ultimately approve any publication.*

## ADVOCACY GUIDELINES

In accordance with [Baylor College of Medicine Faculty/Staff/Learner Advocacy Guidelines](#), BCM is subject to significant restrictions to participate in legislative and political activities. Failure to abide by these restrictions may result in a loss of BCM's status as a tax-exempt organization. The following guidelines embrace Constitutionally-protected freedom of expression while protecting BCM's status as a tax-exempt organization:

- BCM supports the freedom of expression of its faculty, staff, students and trainees. Faculty, staff, students and trainees may participate in legislative debate and discussion and may involve themselves in political campaigns; however, they must do so as private citizens, not as representatives of the College.
- In exercising their freedom of expression along legislative and political lines, faculty, staff, students and trainees should make clear they are speaking on their own behalf, and not as representatives of the College. They must include in any written or oral presentation a disclaimer substantially as follows: *"The views and opinions expressed in this [communication] are those of the individual(s) signing this [communication] and do not necessarily express the official policy or position of Baylor College of Medicine."* Any such communication requires prior approval by the College's Office of Communications.
- Only the chair of the Board of Trustees, the President and Chief Executive Officer and anyone else specifically authorized by the Board of Trustees or President and Chief Executive Officer to do so may speak on behalf of the College.
- Faculty, staff, students and trainees may not use College resources (email, telephones, facsimile machines, social media, stationery, facilities, equipment or supplies) or time to engage in any legislative or political activities.
- Faculty, staff, students and trainees may not invite an elected federal, state or local representative or government official or anyone on his/her staff to appear and speak on the Baylor campus or in a Baylor building without prior written approval from the Office of Governmental Relations.

## RESEARCH ETHICS AND REGULATION

Home to one of the nation's largest biomedical research programs, BCM has a proven track record of success. Our patients have access to the latest advances in medicine thanks to close collaborations with leading scientists. We are committed to:

- **Abiding by all guidance, regulations and institutional policies** involving human subjects [20.3.01 - Research: Human Research](#) , animals [20.4.1 Animal Research](#) and recombinant and synthetic nucleic acid molecules research [20.5.01 Environmental Safety](#).
- **Adhering to the highest standards for research financial stewardship** to ensure continued public support and trust [20.2.00 - Research: Sponsored Programs](#).
- **Conducting research activities** with integrity, respect and thoughtfulness at all times.
- **Timely completion of all required** clinical and basic research training and education as required by our individual research roles.
- **Promptly reporting** any suspected occurrences of research misconduct, such as falsification of data or research results or non-compliance concerns [20.9.01 - Research: Misconduct In Research](#).
- **Disclosing** any financial or other relationships that may result in a financial conflict of interest [Financial Conflict Of Interest in Research \(FCOI-R\)](#).

### Frequently Asked Questions:

What is the [Institutional Review Board](#)?

*The Institutional Review Board (IRB) is a committee that ensures research protocols involving human subjects are conducted ethically with the rights and safety of study participants fully protected. BCM has six IRB committees comprised of physicians, researchers and community members. All human subject research protocols conducted by BCM faculty must be approved by the IRB before they begin. For help or questions, please contact [irb@bcm.edu](mailto:irb@bcm.edu).*

What is the [Institutional Animal Care and Use Committee](#)?

*The Institutional Animal Care and Use Committee (IACUC) is a committee that reviews research protocols using animals and provides guidance on animal use, oversight of the animal care program and ensures compliance with applicable laws, regulations and policies. BCM researchers submit all proposed research projects involving animals through the IACUC for review and approval. For help or questions, contact [iacuc@bcm.edu](mailto:iacuc@bcm.edu).*

## RESEARCH ETHICS AND REGULATION (CONTINUED)

What is the Institutional Biosafety Committee?

*The Institutional Biosafety Committee (IBC) is a committee comprised of researchers, safety professionals and community members who assure that research with recombinant and synthetic nucleic acids molecules research is performed safely and reduces exposure of personnel and the environment. This committee operates under National Institute of Health (NIH) Guidelines. For help or questions, contact [ibc@bcm.edu](mailto:ibc@bcm.edu).*

How does BCM monitor ongoing research?

*Research Compliance Services conducts routine monitoring and assessments related to concerns involving research compliance. Structured procedures are in place to handle concerns from faculty, staff, research personnel, research participants, family members or members of the community. The identity of complainants and information associated with assessments is kept confidential to the extent possible, and retaliation against any person for reporting or pursuing a complaint is strictly prohibited.*

## DISCLOSURE OF OUTSIDE INTERESTS

BCM recognizes the importance of its workforce to engage in a wide variety of activities both inside and outside of BCM. Engaging in relationships and/or partnerships is essential for advancing scientific and academic endeavors that benefit the College and the public; however, outside interests with entities and/or individuals should not compromise, or appear to compromise, the integrity of the BCM's primary mission. As such, it is essential to:

- **Ensure all outside activities be conducted free from any conflict of interest** or the appearance of a conflict.
- Strive **to avoid any apparent or actual conflict of interest** and respond appropriately when conflicts arise.
- **Disclose any outside financial interests or employment** that any individual has that could impact the individual's duties at BCM or the reputational or financial well-being of BCM.
- **Obtain pre-approval** for consulting, speaking and advisory activities or serving as an expert witness [BCM 31.2.01, Disclosure of Outside Interests Policy](#).
- **Avoid accepting gifts and meals** from healthcare vendors, [BCM 31.2.04, Healthcare Vendors Interactions Policy](#).

### **Frequently Asked Questions:**

What is an outside financial interest?

*An outside financial interest is an activity or personal financial interest or investment that may directly impact an individual's judgment, decisions or actions related to the operations of BCM.*

BCM is looking for a consultant to assist with a project, and my cousin owns a healthcare consulting firm. Is it appropriate to recommend my cousin's company?

*Yes, you may recommend your cousin's company, but you must disclose the relationship and remove yourself from the decision-making process. Also, you may not share any proprietary information with your cousin that other potential consultants would not have.*

I have been asked to serve on a scientific advisory board outside of BCM to review research. Am I able to serve?

*Maybe. Serving on a scientific advisory board must be pre-approved prior to accepting the position.*

## DISCLOSURE OF OUTSIDE INTERESTS (CONTINUED)

A pharmaceutical representative has asked me, as a clinical faculty member, to attend a free dinner where the representative will provide information on a new drug his company is marketing. Am I able to attend?

*No. BCM policy prohibits clinical faculty from accepting meals from healthcare vendors unless it is accredited for CME or meets ACCME standards of objectivity and scientific value.*

## ACCURATE DOCUMENTATION, BILLING AND FINANCIAL REPORTING

BCM is committed to honesty, accuracy and integrity in all of our billing, coding and documentation practices. We have a duty to report any actual or perceived false, fraudulent or inaccurate claims or documentation to management and/or compliance, and to:

- **Submit for payment** or reimbursement claims **for services actually rendered** and **fully documented** in the patient's medical record, using billing codes that accurately and appropriately describe the services rendered.
- **Capture and report patient information accurately**, honestly, completely and properly, in accordance with all applicable laws, regulations and policies.
- **Retain billing and medical record data** confidentially and as required by law, regulations and policies.
- Fully **comply with the Fraud, Waste and Abuse Policy** and complete required training within the designated timeframes.
- **Report any suspected** fraud, waste and abuse **violations or billing, coding and documentation inaccuracies** immediately to management.
- **Only submit to governmental authorities accurate reports** and not make false or deceptive statements.

### **Frequently Asked Questions:**

If documentation is incomplete or unavailable when we are ready to submit a claim for a healthcare service, can the claim be submitted?

*No. We should never submit a claim based on incomplete, inaccurate or missing information.*

I work at the front desk of a BCM clinic, and my neighbor comes in for a scheduled appointment. She asks if I could get her a discount when I ask for her co-payment. Am I able to do this?

*No. Regulations and policies explicitly prohibit waiving or discounting co-pays or deductibles unless specific indigent requirements exist and are documented and processed according to BCM policies.*

## PROTECTING CONFIDENTIAL INFORMATION OF PATIENTS AND CO-WORKERS

Strict compliance is required with BCM confidentiality, privacy and security guidelines and policies applying to laws and regulations protecting the confidentiality, privacy and security of our patients, students, research subjects, and our workforce's medical, financial, educational and personal information. In keeping with this requirement, BCM personnel:

- **Access** confidential, financial, personally identifiable information or Protected Health Information (PHI) only to complete designated responsibilities. [HIPAA Privacy Policies](#); [23.1.06, Student Records Policy](#); [02.7.00, Personnel Files and Privacy](#).
- Keep passcodes **secret** and **secure at all times**.
- **Always follow** procedural steps concerning the use and disclosure of social security numbers.
- **Properly store and safeguard** confidential and Protected Health Information.
- Release patient records only **with proper authorization when required**, and in accordance with policies and procedures. [HIPAA Privacy Policies](#)

### **Frequently Asked Questions:**

A professional athlete from my favorite team is receiving treatment from BCM. I am not on the treatment team, but I am curious about his condition. I have access to his record in Epic, can I logon to review his condition?

*No. BCM privacy employs the HIPAA minimally necessary standard, which means you can only access and use PHI that is reasonably necessary to do your job.*

While reviewing patient documentation as part of my job function, I notice that my neighbor is undergoing a serious procedure for a heart defect. I am very concerned and would like to reach out to her to express my sentiments. Can I send her a note?

*No. You must respect the privacy of your neighbor and maintain confidentiality. While the information was uncovered while completing your appropriate job functions, it would be a violation of BCM Privacy and Security to disclose this information without permission.*

How do I report a breach of confidentiality, privacy or security?

*You must report the breach to the BCM Compliance Department, through your normal chain of command or through the BCM Integrity Hotline at 1-855-764-7292 or online at [www.bcm.ethicspoint.com](http://www.bcm.ethicspoint.com).*

## PATIENT RIGHTS AND RESPONSIBILITIES

BCM offers cutting-edge diagnosis and treatments in a compassionate manner that respects our patients. To maintain this culture of excellence, we must commit to protecting patients' rights and must strive to provide high quality of care, in addition to:

- Strict **adherence** to all laws, regulations and policies relating to patient care and clinical operations.
- **Treat patients with respect**, consideration and without discrimination at all times.

[Patient Rights and Responsibilities](#)

- **Provision of medical services and products to patient which are safe** for intended use and which comply with all applicable laws, regulations and professional standards. [Baylor Clinic Policies](#)
- **Delivery of services in an effective and efficient** manner while reducing costs with a value-based approach in all healthcare areas.

### **Frequently Asked Question:**

If I witness a patient being treated unfairly or in a disrespectful manner, what should I do?

*Report the event to your department management immediately (through the chain of command), so they may assist in resolving the situation. If management is unavailable or inaccessible, you may also contact the Compliance Department at 713-798-5637 or BCM Integrity Hotline by calling the toll-free number 1-855-764-7292 or online at [www.bcm.ethicspoint.com](http://www.bcm.ethicspoint.com).*

## USE OF INTELLECTUAL PROPERTY AND PROPRIETARY INFORMATION

BCM proprietary property is defined as property that signifies a relationship to BCM or any property issued to an individual to enable them to conduct their business that was procured by BCM (i.e., BCM identifications, keys and access control cards, research information and materials, manuals, equipment, computers and computer storage devices, etc.). At BCM, we comply with all applicable intellectual property laws. We respect these laws as they apply to publications, media and other forms of expression and communication. BCM's intellectual property rights are valuable business assets, and as such, it is necessary to:

- **Protect BCM's property rights** both while employed and after the termination of employment.
- **Safeguard proprietary properties** in an appropriate and accountable manner.  
**Notify management** or the Compliance Department of any suspected infringement of intellectual property.
- **Respect the intellectual property rights of others** and not knowingly infringe on any valid third-party rights.
- **Use only software that has been properly licensed** and use it in conformity with the terms of the license. [13.5.07 Proprietary Property Control](#)

### **Frequently Asked Question:**

I am an assistant professor and would like to use a published journal as a case study in my course. I know that the content is copyrighted, so am I able to use this content?

*In most circumstances, protected materials may not be used or copied without explicit written permission, however, some exceptions may apply under the Fair Use Doctrine for copyrighted materials. The Fair Use Doctrine allows limited use of copyrighted material without getting permission from the copyright holder. Examples of fair use may include commentary, criticism, news reporting, research and teaching. As a general rule, if you are unsure whether something is protected by copyright, trademark or a license or whether it is appropriate to use or copy, it is best to ask your supervisor or the BCM Office of General Counsel.*

## PROTECTING INSTITUTION ASSETS

BCM is dedicated to protecting our assets, including our financial resources, BCM systems (e.g. network and email system), BCM domains for electronic communication forums (e.g. Intranet), and BCM equipment and supplies. We do so by making prudent and ethical decisions to ensure that our assets are only used to support BCM's mission. We can accomplish this by protecting BCM resources from loss, damage, theft, misuse and waste in the same manner in which we would protect our personal resources. As such, it is important to:

- **Use assets and resources for College purposes only in** accordance with relevant policies and procedures and be accountable to ourselves and others.
- **Dispose of surplus**, obsolete or junked property **in accordance with regulations and policies**.
- **Ensure drugs, hazardous materials, hazardous waste** and other sensitive materials are **maintained, stored and disposed of in accordance with all laws, regulations and policies**.
- **Report any misuse of assets**, such as unauthorized disposal or removal of BCM property immediately.

### **Frequently Asked Questions:**

What should I do if I see someone removing property from BCM premises who is not wearing a BCM issued badge or identification?

*Do not approach the person. Try to obtain a description of the person and a vehicle color, make, model and license plate number. Then report this information to BCM security.*

What should I do if I see someone inappropriately disposing of hazardous materials or hazardous waste?

*Immediately report this information to BCM security and management.*

# HUMAN RESOURCES

BCM is committed to creating a caring, safe and healthy environment that protects and supports all employees. BCM seeks to cultivate a setting that enables employees to achieve their full potential in a fair and equitable manner. To accomplish this, we commit to:

- Treat all people with **respect, dignity, and courtesy.**
- **Show proper consideration for one another.** Discriminatory treatment, sexual harassment and unlawful harassment of any kind is strictly prohibited. BCM 02.2.25, Harassment, Discrimination and Retaliation; BCM 02.2.26, Sexual Misconduct and Other Prohibited Conduct Policy
- Observe the standards of our professions and **exercise good judgment and objectivity** in our practices.
- **Take** all reasonable **precautions** to **ensure our safety** as well as the safety of patients, visitors, students and other personnel.
- **Maintain a drug-free and smoke-free workplace.**
- **Use our time productively** during work hours.
- **Strive to be fair and consistent** in our treatment of team members.

## Frequently Asked Questions:

I received an email from a BCM employee containing jokes and comments of a sexual nature. Are these permitted at BCM? What action (if any) should I take?

*Inappropriate emails of a sexual nature are strictly prohibited at BCM and should be reported to Human Resources or your immediate supervisor right away.*

I witnessed an employee taking what appeared to be illegal drugs on campus. What should I do?

*Report this incident to your supervisor and/or Human Resources immediately.*

## A PERSONAL PLEDGE TO THE CODE OF CONDUCT PRINCIPLES, ETHICS AND INTEGRITY

I pledge to adhere to the highest ethical standards, and promote a culture of integrity. All of my decisions and actions will be guided by the Baylor College of Medicine values and principles. I will use the Code of Conduct as a reference guide and key resource for executing my daily functions.

I acknowledge that I have received a copy of the Baylor College of Medicine Code of Conduct. I have fully read and understand the content.

I, \_\_\_\_\_

(Print Name)

\_\_\_\_\_

BCM ECA (Badge Number)

I am a member of the Baylor College of Medicine community. I certify that I have received the Baylor College of Medicine's Code of Conduct and will abide by its provisions.

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Date)